

and vitality, whereas the devices were not effective for such purposes. The devices were misbranded when introduced into, while in, and while held for sale after shipment in, interstate commerce.

DISPOSITION: October 27, 1950. Leslie D. Ray, Sacramento, Calif., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the printed matter be destroyed and that the devices be released under bond to the claimant for relabeling, under the supervision of the Food and Drug Administration.

✓ **3339. Misbranding of Hollywood Vita-Rol devices. U. S. v. 3 Devices. (F. D. C. No. 29962. Sample No. 67831-K.)**

LIBEL FILED: November 1, 1950, District of Utah.

ALLEGED SHIPMENT: On or about September 15, 1950, by the S & D Engineering Co., from Glendale, Calif.

PRODUCT: 3 *Hollywood Vita-Rol devices* and a number of leaflets entitled "Reduce Relax Relieve" and other leaflets entitled "Hollywood Vita-Rol Instruction" at Salt Lake City, Utah. Examination disclosed that the device consisted of an electrically heated roller covered with corrugated rubber.

LABEL, IN PART: "Hollywood Vita-Rol Model A 125 Volts 76 Watts."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the leaflets accompanying the device were false and misleading since the device was not effective for the purposes represented and was not an effective treatment for the conditions represented. The statements represented and suggested that the device was effective for spot reducing, and that it was effective as a body conditioner and as a treatment for muscular soreness, poor circulation, constipation, and insomnia.

DISPOSITION: February 5, 1951. Default decree of condemnation. The court ordered that the devices be delivered to the Food and Drug Administration, to be used as exhibits in connection with its work.

DRUG FOR VETERINARY USE

3340. Action to enjoin and restrain the interstate shipment of Eureka Poultry Mixture. U. S. v. Edwin C. Singers (Eureka Poultry Food Mfg. Co.). Consent decree granting injunction. (Inj. No. 231.)

COMPLAINT FILED: November 15, 1950, Eastern District of Illinois, against Edwin C. Singers, trading as the Eureka Poultry Food Mfg. Co., East St. Louis, Ill.

NATURE OF CHARGE: The defendant had been and was at the time of filing the complaint, introducing and delivering for introduction into interstate commerce, at East St. Louis, Ill., consignments of a drug which was labeled, in part, "Eureka Poultry Mixture Eureka Poultry Mixture is a compound composed of Red Iron Oxide and Hydrated Lime. Not less than 74% Calcium, not less than 10% Iron Oxide, not less than .5% Phosphorus."

The complaint alleged that the article was adulterated and misbranded in the following respects:

Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess since it contained less than 74% of calcium, less than 10% of iron oxide, and less than .5% of phosphorus.

Misbranding, Section 502 (a), certain statements in accompanying leaflets entitled "Don't Depend on Luck" were false and misleading since the article